

RESOLUTION NO. _____

A RESOLUTION approving and authorizing publication and posting of notice of intention to issue certificates of obligation and declaring expectation to reimburse expenditures with proceeds of future debt.

WHEREAS, the City Council of the City of Allen, Texas (the "City"), has determined that certificates of obligation should be issued under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271 (the "Act") for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) designing, constructing, improving and equipping the new Stephen G. Terrell Recreation Center and the acquisition of land and rights-of-way therefor, and (b) designing, constructing, acquiring, and improving public infrastructure within the City, including streets, storm sewer, sanitary sewer, water, detention, irrigation, landscaping, walking trails, and the acquisition of land and rights-of-way therefor (collectively, the "Projects"), and (ii) professional services rendered in relation to such projects and the financing thereof; and

WHEREAS, the City further intends to make certain capital expenditures with respect to the Projects and currently desires and expects to reimburse the capital expenditures with proceeds of the certificates of obligation; and

WHEREAS, under Treas. Reg. § 1.150-2 (the "Regulation"), to fund such reimbursement with proceeds of tax-exempt obligations, the City must declare its expectation to make such reimbursement; and

WHEREAS, prior to the issuance of such certificates, the City Council is required to publish notice of its intention to issue the same in accordance with the provisions of the Act; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, TEXAS:

SECTION 1: The City reasonably expects to reimburse capital expenditures with respect to the Projects with proceeds of debt hereafter to be incurred by the City, and this resolution shall constitute a declaration of official intent under the Regulation.

SECTION 2: The City Secretary is hereby authorized and directed to cause notice to be published of the City Council's intention to issue certificates of obligation, in one or more series, in a principal amount not to exceed \$33,900,000 for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) designing, constructing, improving and equipping the new Stephen G. Terrell Recreation Center and the acquisition of land and rights-of-way therefor, and (b) designing, constructing, acquiring, and improving public infrastructure within the City, including streets, storm sewer, sanitary sewer, water, detention, irrigation, landscaping, walking trails and the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in relation to such projects and the financing thereof, and payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. The notice hereby approved and authorized to be published shall read substantially in the form and content of **Exhibit A** hereto attached and incorporated herein by reference as a part of this resolution for all purposes.

SECTION 3: The City Secretary shall cause the aforesaid notice to be published (i) in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of

the first publication to be at least forty-six (46) days prior to the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation and (ii) continuously on the City's website for at least forty-five (45) days before the date stated therein for the passage of the ordinance authorizing the issuance of the certificates of obligation.

SECTION 4: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Texas Government Code, Chapter 551, as amended.

SECTION 5: This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this February 23, 2021.

CITY OF ALLEN, TEXAS

KENNETH M. FULK
Mayor

ATTEST:

SHELLEY B. GEORGE
TRMC, City Secretary

(City Seal)

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CITY OF ALLEN, TEXAS CERTIFICATES OF OBLIGATION

TAKE NOTICE that the City Council of the City of Allen, Texas, shall convene at 7:00 o'clock P.M. on the 27th day of April, 2021, in the Council Chambers of City Hall, 305 Century Parkway, Allen, Texas, and, during such meeting, the City Council will consider the passage of one or more ordinances authorizing the issuance of one or more series of certificates of obligation in an amount not to exceed \$33,900,000 for the purpose of paying contractual obligations to be incurred for (i) the construction of public works, to wit: (a) designing, constructing, improving and equipping the new Stephen G. Terrell Recreation Center and the acquisition of land and rights-of-way therefor, and (b) designing, constructing, acquiring, and improving public infrastructure within the City, including streets, storm sewer, sanitary sewer, water, detention, irrigation, landscaping, and walking trails and the acquisition of land and rights-of-way therefor, and (ii) professional services rendered in relation to such projects and the financing thereof; such certificates to be payable from ad valorem taxes and a limited pledge of the net revenues of the City's combined Waterworks and Sewer System. In accordance with Texas Local Government Code Section 271.049, (i) the current principal amount of all of the City's outstanding public securities secured by and payable from ad valorem taxes is \$93,315,000; (ii) the current combined principal and interest required to pay all of the City's outstanding public securities secured by and payable from ad valorem taxes on time and in full is \$115,924,764; (iii) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$41,134,988; (iv) the maximum interest rate for the certificates may not exceed the maximum legal interest rate; and (v) the maximum maturity date of the certificates to be authorized is August 15, 2041. The certificates are to be issued, and this notice is given, under and pursuant to the provisions of Texas Local Government Code, Subchapter C of Chapter 271.

Shelley B. George
City Secretary
City of Allen, Texas